

ORDINANCE NO. 577

REGULATING CONDUCT IN PUBLIC PARKS; PROVIDING FOR
ENFORCEMENTS; AND PRESCRIBING PENALTIES FOR THE
VIOLATION OF ITS PROVISIONS

Be it ordained by the City Council of the City of Lodi, as
follows:

Section 1. Definitions: For the purposes of this Ordinance
chapter, certain terms, phrases, and words are defined as follows:

(1) "Director" is the person who holds the title of Director
of Recreation and Parks in the City of Lodi.

(2) "Park" is a park, reservation, playground, beach, recreation
center or any other area in the City, owned or used by the City, and
devoted to active or passive recreation.

(3) "Vehicle" is any wheeled conveyance, whether motor powered,
animal-drawn, or self-propelled. The term shall include any trailer
in tow of any size, kind or description. Exception is made for baby
carriages and vehicles in the service of the City parks.

Section 2. Park Property: No person in a park shall:

(1) Buildings and Other Property.

(a) Disfiguration and Removal. Wilfully mark, deface,
disfigure, injure, tamper with, or displace or remove, any
building, bridges, tables, benches, fireplaces, railings, paving
or paving material, water lines or other public utilities or

parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(b) Removal of Natural Resources. Dig, or remove any beach sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down-timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency.

(2) Trees, Shrubbery, Lawns.

(a) Injury and Removal. Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers or seeds, of any tree or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant. A person shall not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

(b) Climbing Trees, etc. Climb any tree or walk, stand or sit upon monuments, vases, fountains, railing, or fences or upon any other property not designated or customarily used for such purposes.

(3) Wild Animals, Birds, Etc.

(a) Hunting. Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, or bird;

nor shall he remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any bird.

(b) Feeding. Give or offer, or attempt to give to any animal or bird any tobacco, alcohol or other known noxious substances.

Section 3. Traffic. No person in a park shall:

(1) State Motor Vehicle Laws Apply. Fail to comply with all applicable provisions of the state motor vehicles traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this and other ordinances.

(2) Enforcement of Traffic Regulations. Fail to obey all traffic officers and park employees, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets, or roads immediately adjacent thereto in accordance with the provisions of these regulations and such supplementary regulations as may be issued subsequently by the Director.

(3) Obey Traffic Signs. Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping, or parking, and all other posted for proper control and to safeguard life and property.

(4) Operation Confined to Roads. Drive any vehicle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the Director.

(5) Parking.

(a) Designated Areas. Park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions thereat and with the instructions of any attendant who may be present.

(b) Double Parking. Double-park any vehicle on any road or parkway unless directed by a park official.

(6) Bicycles.

(a) Confined to Roads. Ride a bicycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

(b) Operation. Ride a bicycle other than on the right-hand side of the road paving as close as conditions permit, and bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicles they may be meeting.

(c) Rider Prohibited. Ride any other person on a bicycle.

(d) Designated Racks. Leave a bicycle in a place other than a bicycle rack when such is provided and there is a space available.

(e) Immobile. Leave a bicycle lying on the ground or paving, or set against tress, or in any place or position where other persons may trip over or be injured by them.

Section 4. Recreational Activities. No person in a park shall:

(1) Bathing, Swimming and Water Skiing.

(a) Designated Areas. Swim, bath, wade, or water ski in any waters or water-ways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may be hereafter adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming, bathing, or water skiing or congregate thereat when such activity is prohibited by the Director upon a finding that such use of the water would be dangerous or otherwise inadvisable.

(b) Certain Hours. Frequent any waters or places designated for the purpose of swimming or bathing, or congregate thereat, except between such hours of the day as shall be designated by the Director for such purposes for each individual area.

(c) Structure on Beach. Erect, maintain, use or occupy on or in any beach or bathing area any tent, shelter or structure of any kind unless there shall be an unobstructed view into said tent, shelter or structure from at least two sides; nor shall any guy wire, rope or extension or exterior brace or support be connected or fastened from any such structure to any other structure, stake, rock or other object outside thereof.

(2) Boating.

(a) Designated Areas. Bring into or operate any boat, raft, or other water craft, whether motor-powered or not, upon any waters, except at places designated for boating by the Director. Such activity shall be in accordance with applicable regulations as are now or may hereafter be adopted.

(b) Operation of Boats. Navigate, direct, or handle any boat in such a manner as to unjustifiably or unnecessarily annoy or frighten or endanger the occupants of any other boat.

(c) Prohibition During Closing Hours. Launch, dock, or operate any boat of any kind on any waters between the closing hour of the park at night and opening hour the following morning, nor shall any person be on, or remain on or in, any boat during the said closed hours of the park.

(3) Picnic Areas and Use.

(a) Regulated. Picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.

(b) Availability. Violate the regulation that use of the individual fireplaces together with tables and benches follows generally the rule of "First come, first served."

(c) Non-exclusive. Use any portion of the picnic areas or of any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded.

(d) Duty of Picnicker. Leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(4) Games. Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins or model airplanes except in areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball and quoits is prohibited except on the fields and courts or areas provided therefor. Roller-skating shall be confined to those areas specifically designated for such pastime.

Section 5. Behavior. No person in a park shall:

(1) Domestic Animals. Have been responsible for the entry of a dog or other domestic animal into areas other than automobile parking concourses and walks immediately adjacent thereto, and in such other areas as may be clearly marked by signs bearing the words "Domestic Animals Permitted in This Area." Nothing herein shall be

construed as permitting the running of dogs at large. All dogs in those areas where such animals are permitted shall be restrained at all times on adequate leashes not greater than 6 feet in length.

(2) Alms. Shall solicit alms or contributions for any purpose, whether public or private.

(3) Fires. Build or attempt to build a fire except in such areas and under such regulations as may be designated by the Director. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material, within any park area or on any highway, road or street abutting or contiguous thereto.

(4) Closed Areas. Enter an area posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices.

Section 6. Merchandising, Advertising and Signs. No person in a park shall, without the prior approval of the Director:

(1) Vending and Peddling. Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Director.

(2) Advertising. Announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(3) Signs. Paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

Section 7. Enforcement.

(1) Officials. The Director and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this Ordinance. For the purposes of such enforcement, the Director and any park attendant are hereby designated an "officer" who may issue citations to violators of this Ordinance pursuant to the provisions of Section 1.8 of the Lodi City Code, 1959.

(2) Ejectment. The Director and any park attendant shall have the authority to eject from the park any person acting in violation of this Ordinance.

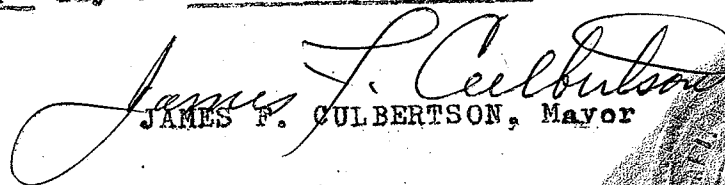
(3) Seizure of Property. The Director and any park attendant shall have the authority to seize and confiscate any property, thing or device in the park, or used, in violation of this Ordinance.

Section 8. Penalties. Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor.

Section 9.

This Ordinance shall be published one time in the "Lodi News-Sentinel" and shall be in full force and take effect thirty (30) days from and after its passage and approval.

Approved this 6th day of July, 1960.


JAMES F. CULBERTSON, Mayor

Attest: BEATRICE GARIBALDI, City Clerk


BY FRANK C. CARLTON, Deputy City Clerk

I do hereby certify that Ordinance No. 677 was introduced at a regularly adjourned meeting of the City Council of the City of Lodi held June 22, 1960 and was thereafter passed, adopted and ordered to print at a regular meeting held July 6, 1960 by the following vote:


Ayes: Councilmen - Brown, Katzakian, Mitchell, Ullmann and Culbertson

Noes: Councilmen - None

Absent: Councilmen - None

I further certify that Ordinance No. 677 was approved and signed by the Mayor on the date of its passage and that the same has been published pursuant to law.

BEATRICE GARIBALDI, City Clerk


By FRANK C. CARLTON, Deputy City Clerk